

REMARKS /ARGUMENTS

The *Office Action* dated August 26, 2003 has been carefully reviewed, together with the patent reference cited in the rejection of the claims. For the reasons set forth below, it is believed that the claims are allowable over the prior art of record.

Allowed Claims

Claims 13-28 are allowed over the prior art of record.

Allowable Claims

Claims 4, 5, 8 and 10 are indicated by the Examiner as being drawn to allowable subject matter, and would be fully allowed if prepared in independent form.

Rejections Under 35 U.S.C. § 102

Claims 1-3, 6, 7, 9, 11, and 12 are rejected as being anticipated by U.S. Pat. No. 4,876,621 by Rust et al.

The Rust et al., patent reference discloses a five-pin overvoltage protection module that incorporated series telephone line resistors for protection against overcurrents. In Fig. 1 of the reference, the overvoltage protection devices are gas tube discharge devices 23a and 23b connected across the telephone line tip and ring conductors to ground. The series resistors which are positive temperature coefficient resistors (PTCR) are identified as series variable resistors "R." In Fig. 4 of the Rust et al. reference, the overvoltage sensitive gas discharge tubes are shown as devices 56 and 57. The PTCR's are shown as devices 83.

In the *Office Action*, the rejection of claim 1 is based on the view that the devices 83 are overvoltage sensitive devices, and that the spring members 81 and 82 would be in contact with respective conductive members 42 and 47 in the absence of devices 83. For the following reasons, the Rust et al. reference neither anticipates nor makes obvious the invention defined by claims 1-3, 6, 7, 9, 11 and 12.

First Point of Novelty

In claim 1 of the captioned patent application, there is specified a spring member adapted for movement into contact with at least one of the tip or ring conductors. In the Rust et al. patent reference, it is clear that even without the device 83, the spring member 81 (or 82) would not come into contact with the conductor 42 (or 47), as this is shown in Fig. 5a of the reference. Here, the device 83 is shown absent from the module during assembly thereof, and the conductors do not come into contact with each other, as claimed. Accordingly, the module described in the Rust et al., reference does not anticipate claim 1 of the captioned application either during or after assembly.

Second Point of Novelty

Next, claim 1 of the captioned application specifies an overvoltage sensitive device positioned between the conductive member and one of the tip and ring conductors. As noted in claim 1, the conductive member is spring biased by the spring member toward the tip or ring conductor. In the *Office Action*, the rejection is based on the view that the overvoltage sensitive devices are those identified by reference numerals 83. In a careful reading of the reference, the devices 83 are the variable PTCR resistors in series with each line. Such devices are sensitive to current, and increase in resistance in response to an increase in current. See col. 3, lines 25-38 of the reference. The overvoltage sensitive devices, on the other hand, are the gas discharge tubes 56 and 57 in the reference. Overvoltage sensitive devices, such as gas discharge tubes, are open

circuit during normal operation of the circuit. As such, if the PTCR devices of the reference were to be substituted with overvoltage sensitive devices, the tip and ring lines would be open circuit during normal operation, which would render the telephone circuits wholly inoperative and unworkable.

From the foregoing, claim 1 is not anticipated by the Rust et al. patent reference.

As to claims 2, the rejection relies on the position that the spring member 81 and/or 82 of the Rust et al., reference are connected to ground. In claim 2 of the application, there is specified that the spring member is electrically connected to the ground conductor. In the Rust et al., reference, the spring members 81 and 82 are not connected to the ground conductor, but rather are connected to the equipment side tip and ring conductors. In the event of an overvoltage experienced by the Rust et al., module, it is the connector elements 42 and/or 47 that are connected to ground through the highly conductive gas discharge devices 56 and/or 57. Accordingly, claims 2 and 3 are patentable in their own right over the cited reference.

Claim 6 is patentable over the cited reference, as the devices 83 in the reference are not overvoltage sensitive devices, as claimed. As noted above, the devices 83 of the Rust et al., reference are resistors whose resistance varies in response to overcurrents.

Claims 7, 11 and 12 are patentable for the same reasons set forth above in connection with claims 1 and 6.

Conclusion

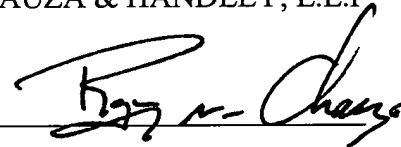
From the foregoing, the Examiner is respectfully requested to reconsider the rejections, and grant full allowance of the application.

The U.S. Patent & Trademark Office is hereby authorized to charge any fees due or credit any overpayments to Deposit Account No. 502112/TCCR-24,985 for the firm CHAUZA & HANDLEY, L.L.P.

Respectfully submitted,

CHAUZA & HANDLEY, L.L.P.

By

A handwritten signature in black ink, appearing to read "Roger N. Chauza", written over a horizontal line.

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